



07-30-01

JC20 Rec'd PCT/PTO 27 JUL 2001

FEE TRANSMITTAL

Application Number: 09/831,585  
Filing Date: May 11, 2001  
Confirmation No.: 7039  
Inventor(s): Hans Biermaier  
Attorney Docket Number: BHTH 5440

**09/831585****METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

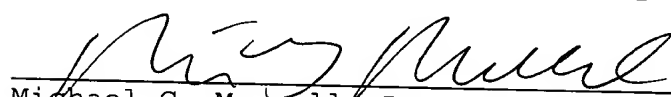
**FEE CALCULATION**

1. ☐ BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
(Type: \_\_\_\_\_)
2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_  
Total Claims \_\_\_\_\_  
Independent Claims \_\_\_\_\_  
Multiple Dependent Claims \_\_\_\_\_
3. ☒ ADDITIONAL FEES Subtotal (3) \$ 130.00
- ☒ Surcharge - late filing fee or oath  
☐ Surcharge - late provisional filing fee or cover sheet  
☐ Extension for reply within \_\_\_\_\_ month  
☐ Notice of Appeal  
☐ Filing a Brief in Support of an appeal  
☐ Request for ex parte Reexamination  
☐ Petitions to the Commissioner  
☐ Submission of Information Disclosure Statement  
☐ Recording each patent assignment per property  
☐ Request for Continued Examination

08/02/2001 HNGUYEN 000005309831585:

01 FC:154

130.00 OP

**TOTAL AMOUNT OF PAYMENT** \$ 130.00  
Michael G. Munsell, Reg. No. 43,8207/27/01  
Date

MGM/tjk

Express Mail Label No. EL 910280070 US



HTH 5440  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hans Biermaier  
Serial No.: 09/831,585  
Filed: May 11, 2001  
Confirmation No.: 7039  
For: DEVICE FOR THERMAL STERILIZATION OF LIQUIDS

July 27, 2001

LETTER IN RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)


TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

\* In response to the "Notification of Missing Requirements Under  
35 U.S.C. 371 In The United States Designated/Elected  
\* Office (DO/EO/US)," dated June 21, 2001, enclosed is applicant's  
\* signed Declaration and Power of Attorney in the above-referenced  
\* application. A copy of the Notification is returned herewith.

\* Also enclosed is a check in payment of the surcharge.

Respectfully submitted,

  
Michael G. Munsell, Reg. No. 43,820  
SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
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UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED JUN 26 2001

09/831585

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov



U.S. APPLICATION NO.  
9/831,585

FIRST NAMED APPLICANT  
BIERMAIER

ATTY. DOCKET NO.  
5440

INTERNATIONAL APPLICATION NO.  
PCT/EP99/06812

5611  
SENNIGER POWERS LEAVITT & ROEDEL  
ONE METROPOLITAN SQUARE 16TH FLOOR  
ST LOUIS MO 63102

I.A. FILING DATE  
09/14/99

PRIORITY DATE  
00/00/00

DATE MAILED: 06/21/01

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

- The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:
  - ☒ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):
    - ☒ U.S. Basic National Fee.
    - ☒ Copy of the International application.
    - ☐ Oath or Declaration of Inventor(s).
    - ☐ Copy of Article 19 amendments.
    - ☐ Priority Document.
    - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
    - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
    - ☐ Indication of Small Entity Status.
    - ☐ Translation of the international application into English.
    - ☐ Translation of Article 19 amendments into English.
    - ☐ Other:
- ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
  - ☐ U.S. Basic National Fee.
  - ☐ Copy of the international application.
- The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
  - ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
  - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
  - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the international application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
    - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
  - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
- Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
- ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
- ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

- Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☐ PCT/DO/EO/920

FORM PCT/DO/EO/905 (March 2001)

Telephone: 800-368-3688

